

From: Carl Holmberg
To: Microsoft ATR
Date: 1/23/02 2:26pm
Subject: Microsoft Settlement

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Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

22 Jan, 2002

Dear Ms. Hesse,

I would like to state several of my objections to the Microsoft Anti-trust settlement as it stands as of 01/22/2002.

1. The settlement would not restrict the core way in which Microsoft unlawfully maintained its Windows operating system (OS) monopoly, namely bundling and tying competing platform software (known as ?middleware?) like Web browsers and Java, to the OS.
2. The settlement has no provisions to create competition in the OS market that Microsoft unlawfully monopolized, particularly through it's illegal contracts with computer manufacturers.
3. The settlement has no provisions directed to new markets where Microsoft is using the same bundling and restrictive practices to preserve and extend its Windows monopoly.
4. The settlement makes no allowances for non-profit software developers. As a researcher with the Air Force Research Laboratory's Maui High Performance Computing Center, I can tell you that the majority of innovation in the software field today springs from non-profit (ie. open source) development efforts.

No settlement at all is better than a flawed settlement such as the DOJ is currently proposing. At least with no settlement, no one is fooled into thinking that the problems caused by Microsoft's past and current actions are being adequately dealt with.

Sincerely,

Carl M. Holmberg